

## **Structural Pest Control Board**

NOTICE IS HEREBY GIVEN that the Structural Pest Control Board is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Embassy Suites Hotel Napa Valley, 1075 California Blvd., Napa, CA, at 9:00 AM on January 23, 2009. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Structural Pest Control Board at its office no later than 5:00 PM on January 21, 2009 or must be received by the Structural Pest Control Board at the hearing. The Structural Pest Control Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by section 8525 of the Business and Professions Code, and to implement, interpret or make specific sections 8505, 8525, 8590, 8590.1, 8593, and 8593.1 of said Code, the Structural Pest Control Board is considering changes to Division 19 of Title 16 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

#### 1. Adopt 1950.1 Armed Services Exemption

Business and Professions Code section 8590 states that a field representative or operator shall renew his or her license by 12 midnight on June 30 every three years. Business and Professions Code section 8590.1 states that a registered applicator shall renew his or her license by 12 midnight every three years from the date of issue. Business and Professions Code section 8591 states that a licensee has a delinquency period of three months and after three months, a new license must be obtained. Business and Professions Code sections 8590.1 and 8593.1 state that the Board shall require, as a condition to license renewal, the completion of continuing education courses.

The specific objective of this regulation is to provide an exemption to individuals who fail to renew their license due to their participation in the United States armed services. The exemption would authorize a one-year extension from the date of discharge to comply with the continuing education requirements.

#### 2. Amend 1984 Structural Integrated Pest Management

Business and Professions Code Section 8505 defines structural pest control as any

work for the purpose of eliminating, exterminating, controlling or preventing infestations or infections of household pests. The specific objective of this amendment is to correct the recently adopted language to reflect the actual language that had been recommended to the Structural Pest Control Board. The current language in regulation represents an earlier definition of Integrated Pest Management that was inadvertently noticed for public hearing.

## FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

### Business Impact:

The Structural Pest Control Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

### Impact on Jobs/New Businesses:

The Structural Pest Control Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

### Cost Impact on Representative Private Person or Business:

The Structural Pest Control Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

## EFFECT ON SMALL BUSINESS

Section 1950.1 will have no effect on small businesses, as the proposal would provide an exemption to licensees who serve in the armed services.

Section 1984 will have no effect on small businesses because the proposal is correcting a word that had been incorrectly included in the final definition that was presented to the Structural Pest Control Board.

## CONSIDERATION OF ALTERNATIVES

The Structural Pest Control Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## INITIAL STATEMENT OF REASONS AND INFORMATION

The Structural Pest Control Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Structural Pest Control Board at 2005 Evergreen Street, Suite 1500, Sacramento, California 95815.

## AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

## CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Ryan Vaughn  
Address: 2005 Evergreen Street, Suite 1500  
Sacramento, CA. 95815  
Telephone No.: (916) 561-8700  
Fax No.: (916) 263-2469  
E-Mail Address: Ryan\_Vaughn@dca.ca.gov

The backup contact person is:

Name: Susan Saylor

Address: 2005 Evergreen Street, Suite 1500  
Sacramento, CA. 95815

Telephone No.: (916) 561-8700

Fax No.: (916) 263-2469

E-Mail Address: Susan\_ Saylor@dca.ca.gov

Website Access: Materials regarding this proposal can be found at  
[www.pestboard.ca.gov](http://www.pestboard.ca.gov)